

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

VIOLET GOODWIN,

Plaintiff,

vs.

CITY OF OMAHA, et al.;

Defendants.

**8:21CV417**

**ORDER**

Upon consideration of Defendants' motion to continue, (Filing No. 56), and Plaintiff's responsive motion for contempt, (Filing No. 60), the court finds the defendants have shown good cause to continue the deadline for serving Defendants' responses to Plaintiff's Request for Discovery (Filing No. 49), and the deadline for serving Defendants' initial mandatory disclosures.

Specifically, Defendants cannot comply with the federal mandatory disclosure requirements or respond to Plaintiff's discovery unless the state court enters an order unsealing the state criminal case upon which this federal lawsuit is based, or the plaintiff signs an affidavit consenting to the undersealing of that case for the purposes of pursuing this lawsuit. Despite Defendants' reasonable efforts to secure Plaintiff's signature on the affidavit, Plaintiff has not signed and returned it to the defendant. And as to obtaining a state court order, Defendants' efforts were not successful because the plaintiff failed to appear at the noticed state court hearing.

Accordingly,

IT IS ORDERED:

1) Defendants' motion to continue, (Filing No. 56), is granted, and Plaintiff's responsive motion for contempt, (Filing No. 60), is denied.

2) Defendants' deadline for responding to Plaintiff's discovery requests (Filing No. 49), and all deadlines in the court's progression order, (Filing No. 43), are stayed pending further order of the court.

3) Plaintiff shall sign the Affidavit of Violet L. Goodwin which consents to unsealing the underlying state court case for the purposes of this lawsuit (a copy of which is attached) before a notary public, with the notary's signature and stamp applied to the form.

On or before December 29, 2022, Plaintiff shall mail the signed and notarized Affidavit of consent to defense counsel, and she shall also file in this case a copy of that signed Affidavit in this federal lawsuit.

**Plaintiff is hereby notified that the failure to timely and fully comply with this order may result in dismissal of this case for want of prosecution or for failure to comply with the orders of this court.**

4) The clerk shall set a case management deadline of December 29, 2022.

Dated this 29th day of November, 2022.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

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vs.

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) CASE NO: 8:21-CV-417

)

)

) AFFIDAVIT OF

) VIOLET L. GOODWIN

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STATE OF NEBRASKA )

) ss.

COUNTY OF DOUGLAS )

I, VIOLET L. GOODWIN, being first duly sworn under oath, state and depose as follows:

1. I am competent to testify to, and have personal knowledge of the matters stated in this affidavit.
2. I hereby agree to unseal the entire record of the *State of Nebraska v. Violet L. Goodwin*, Douglas County, Nebraska, County Court case number CR21-11853, for the limited purpose of the case pending in the United States District Court for the District of Nebraska, *Violet L. Goodwin v. Vander, et al.*, 8:21-CV-417.

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_  
Violet L. Goodwin, Affiant

SUBSCRIBED and sworn to before me this \_\_\_\_ day of December, 2022.

\_\_\_\_\_  
Notary Public